

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHAEL DEJUAN POWERS,

Petitioner,

Civil Action No. 12-CV-10775

vs.

HON. BERNARD A. FRIEDMAN

CINDI S. CURTIN,

Respondent.

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**ORDER DENYING PETITIONER'S MOTION FOR A CERTIFICATE OF APPEALABILITY**

This matter is presently before the Court on petitioner's motion for a certificate of appealability [docket entry 27]. Magistrate Judge Paul J. Komives has submitted a Report and Recommendation ("R&R") in which he recommends that the motion be denied. Petitioner has filed objections to the R&R. The Court agrees with the magistrate judge's analysis and recommendation, mainly for the reason that the Court indicated in its opinion denying the petition that no certificate of appealability would issue, and the Court reaffirmed that ruling in its order denying petitioner's motion for reconsideration. The instant motion is in effect a second motion for reconsideration, which the court rules do not permit. Accordingly,

IT IS ORDERED that Magistrate Judge Komives' R&R is hereby accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that petitioner's motion for a certificate of appealability [docket entry 27] is denied.

Dated: August 22, 2014  
Detroit, Michigan

S/ Bernard A. Friedman\_\_\_\_\_  
BERNARD A. FRIEDMAN  
SENIOR UNITED STATES DISTRICT JUDGE